

16310 U.S. PTO
111703

Patent
Attorney Docket: 705593.4001

19270 U.S. PTO
10/715954
111703

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Attorney Docket No.: 705593.2
First Named Inventor: Peter Baker, et al.
Prior Application Information:
Serial No. 10/272,471
Examiner: Bharat Barot
Art Unit: 2154

Mail Stop: Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FILING UNDER 37 CFR § 1.53(b)

This is a request for filing for a

☐

continuation

☐

divisional

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continuation-in-part (CIP)

of application U.S. Serial No. 10/272,471, filed on October 15, 2002, which issued as US Patent 6,651,102 on November 18, 2003, which is a continuation-in-part of application U.S. Serial No. 09/898,852, filed on July 3, 2001, which issued as US Patent 6,493,761 on December 10, 2002, which is a continuation-in-part of application U.S. Serial No. 09/113,704, filed on July 10, 1998, which issued as US Patent 6,266,700 on July 24, 2001, which is a continuation of US Serial No. 09/080,325, filed on May 15, 1998, which issued as US Patent No. 6,000,041 on December 7, 1999, which is a continuation of US Serial No. 08/888,875, filed on July 7, 1997, which issued as US Patent No. 5,781,729 on July 14, 1998, which is a continuation of US Serial No. 08/575,506, filed on December 20, 1995, which issued as US Patent No. 5,793,954 on August 11, 1998, the disclosures of which are expressly incorporated herein by reference, by

Peter Baker and Karen Neal entitled:

Systems and Methods for Prevention of Peer-to-Peer File Sharing

CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

EV 314508975 US
Express Mail Label No.

November 17, 2003
Date of Deposit

DOCSOC1:144532.1

Sally Hartwell

Name of Person Mailing Paper

Signature of Person Mailing Paper

I. APPLICATION ELEMENTS ENCLOSED

61 Page(s) of Written Description
3 Page(s) of Claims
1 Page(s) of Abstract
8 Sheet(s) of Drawings ☒ formal ☐ informal
 _____ Page(s) of ☐ Declaration or ☐ Declaration and Power of Attorney
 _____ ☐ Copy from prior application [37 CFR §1.63(d)]
 _____ ☐ Newly executed
 _____ Other:

- ☐ Assignment papers (cover sheet and documents(s))
☐ An Information Disclosure Statement, PTO 1449.
☐ Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35

II. FEE CALCULATION

☒ Applicant claims small entity status under 37 CFR 1.27.

BASIC FILING FEE:					\$770.00
Total Claims	20	-	20	=	x \$18.00 \$0.00
Independent Claims	3	-	3	=	x \$86.00 \$0.00
Multiple Dependent Claims	\$290.00	(if applicable)		<input type="checkbox"/>	\$0.00
TOTAL OF ABOVE CALCULATIONS					\$770.00
Reduction by ½ for Filing by Small Entity.					<input checked="" type="checkbox"/> \$385.00
Misc. Filing Fees (Recordation of Assignment)					\$0.00
TOTAL FEES DUE HERewith					\$385.00

III. PRIORITY - 35 USC § 119

- ☐ Priority of application Serial No. _____ filed on _____ in Country is claimed under 35 USC § 119.
☐ The certified copy has been filed in prior U.S. application Serial No. _____ on _____.
☐ The certified copy will follow.

IV. AMENDMENTS

- ☐ Cancel in this application original Claims ____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes if no new claims are added in a preliminary amendment.)
- ☐ A Preliminary Amendment is enclosed. (Claims added by Amendment must be numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

V. RELATE BACK - 35 USC § 120

- ☒ Relate back information is included in the specification.
- ☐ Please amend the specification as follows:
- ☒ With respect to the prior co-pending U.S. application from which this application claims benefit under 35 USC § 120, the inventor(s) in this application is (are) [37 CFR 1.53(b)(1)]:
 - ☒ the same.
 - ☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted [see 37 CFR §§1.33(b) AND 1.63(d)(2)]:
[Name(s) of inventor(s) to be deleted]

VI. METHOD OF PAYMENT OF FEES

- ☐ Attached is a check in the amount of _____.
- ☒ Charge Orrick, Herrington & Sutcliffe's Deposit Account No. **15-0665** in the amount of **\$385.00**.
- ☐ Not attached. No filing fee is submitted. [This and the surcharge required by 37 CFR § 1.16(e) can be paid subsequently.]

VII. AUTHORIZATION TO CHARGE ADDITIONAL FEES

The Commissioner is hereby authorized to credit Orrick, Herrington & Sutcliffe's Deposit Account No. **15-0665** for any over payment of fees and to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. **15-0665**:

- ☒ 37 CFR § 1.16 (Filing fees and excess claims fees)
- ☒ 37 CFR § 1.17 (Application processing fees)
- ☐ 37 CFR § 1.21 (Assignment recordation fees)

VIII. POWER OF ATTORNEY & CORRESPONDENCE ADDRESS

- ☐ The power appears in the original papers in the prior application.
- ☐ The power does not appear in the original papers, but was filed on _____ in prior application Serial No. _____.
- ☐ A new power has been executed and is attached.

Please send all correspondence to Customer Number 34313:

Orrick, Herrington & Sutcliffe LLP
4 Park Plaza, Suite 1600
Irvine, California 92614-2558
(949) 567-6700

Please direct all inquiries to **Donald Daybell**, at the above Customer Number.

IX. MAINTENANCE OF CO-PENDENCY OF PRIOR APPLICATION

- ☐ A petition, fee and response has been filed to extend the term in the pending **prior** application until _____. A copy of the petition for extension of time in the **prior** application is attached.
- ☐ A conditional petition for extension of time is being filed in the pending **prior** application. A copy of the conditional petition for extension of time in the **prior** application is attached.

X. ABANDONMENT OF PRIOR APPLICATION

- ☐ Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application co-pending with said prior application. At the same time, please add the words "now abandoned" to the amendment of the specification set forth in Item V above.

Respectfully submitted,

Orrick, Herrington & Sutcliffe LLP

Dated: November 17, 2003

By: *Donald Daybell*
Donald Daybell
Reg. No. 50,877

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